



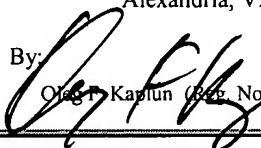
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[40128/00801]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Robert et al.  
Patent No. : 10/724,294  
Filed : November 28, 2003  
For : METHOD AND APPARATUS FOR CONDUCTING  
TOTAL LIQUID VENTILATION WITH CONTROL OF  
RESIDUAL VOLUME AND VENTILATION CYCLE  
PROFILE  
Group Art Unit : 3764  
Examiner : To Be Assigned

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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By:  Date: 8/23/04  
Oleg F. Kaplun (Reg. No. 45,559)

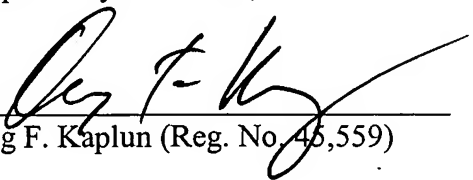
**TRANSMITTAL**

S I R:

Transmitted herewith please find for filing in the above-identified patent an Information Disclosure Statement and PTO-1449 along with a copy of thirty two (32) references. No fees are believed to be required. However, if fees are required, please charge the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492**. A copy of Transmittal is included for that purpose.

Respectfully submitted,

Dated: August 23, 2004

By:   
Oleg F. Kaplun (Reg. No. 45,559)

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**INFORMATION DISCLOSURE STATEMENT**

S I R:

1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following fifty- four (54) references to the attention of the Examiner, nine (9) of which were included in the European Search Report of a related application. The references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of the European Search Report is enclosed herewith.

2. Applicants have enclosed thirty-two (32) other references. The remaining twenty-two

(22) references are United States Patents or United States Patent Applications and as such as not enclosed herewith.

3. By submitting this Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

4. By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

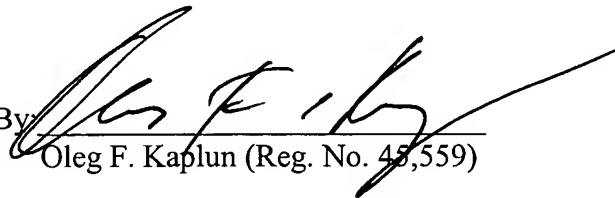
5. By submitting this Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Respectfully submitted,

Dated:

*August 23, 2009*

By:



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

**FORM PTO-1449**

ATTY. DOCKET NO.  
40128/00801

SERIAL NO.  
10/724,294

APPLICANT(S)  
Robert et al.

FILING DATE  
November 28, 2003

GROUP  
To Be Assigned

**U. S. PATENT DOCUMENTS**

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	6,105,572	August 22, 2000	Shaffer et al.			
	6,041,777	March 28, 2000	Faithfull et al.			
	5,706,830	January 13, 1998	Parker			
	5,540,225	July 30, 1996	Schutt			
	5,655,521	August 12, 1997	Faithfull et al.			
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EXAMINER INITIAL	APPL. PUBLICATION NUMBER	PUBLICATION DATE	NAME	CLASS	SUBCLASS	FILING DATE*
	US 2002/0023640	February 28, 2002	Nightengale			

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EXAMINER INITIAL	DOCUMENT NUMBER	DATE (M/D/Y)	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 99/62626	December 9, 1999	WO			N/A	
	WO 93/09833	May 27, 1993	WO			N/A	
	CA 2,035,492	March 27, 2001	CA			N/A	
	ES 2 154 596	April 1, 2001	ES			YES*	
	WO 97/19719	June 5, 1997	WO			N/A	
	WO 92/19232	November 12, 1992	WO			N/A	
	WO 91/03267	March 21, 1991	WO			N/A	
	WO 94/08652	April 28, 1994	WO			N/A	
	WO 97/32621	September 12, 1997	WO			N/A	
	WO 99/24100	May 20, 1999	WO			N/A	
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\* English translation of abstract only.

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EXAMINER INITIAL	AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.
	Hirschl et al. "Evaluation of gas exchange, pulmonary compliance, and lung injury during total and partial liquid ventilation in the acute respiratory distress syndrome," <i>Critical Care Med.</i> 24, (1996), pp. 1001-1008 [15 sheets];
	Pedneault et al. "Total liquid ventilation using a modified extra-corporeal gas exchange circuit: preliminary results in lambs," [abstract], <i>Pediatr Pulmonol Suppl.</i> 18, (1999), p. A241;
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	Wolfson et al. "Comparison of gas and liquid ventilation: clinical, physiological, and histological correlates," <i>J Appl Physiol.</i> 72, (1992), pp. 1024-1031;
	Clark et al. "Survival of mammals breathing organic liquids equilibrated with oxygen at atmospheric pressure," <i>Science</i> , 152, (1966) pp. 1755-1756;
	Wolfson et al. "Liquid-assisted ventilation: an alternative respiratory modality," <i>Pediatr Pulmonol.</i> 26, (1998), pp. 42-63;
	Wolfson et al. "Pulmonary administration of vasoactive substances by perfluorochemical ventilation," <i>Pediatrics.</i> 97, (1996) pp. 449-455 [13 sheets];
	Sekins et al. "Recent innovations in total liquid ventilation system and component design," <i>Biomed Instrum Technol.</i> 33, (1999), pp. 277-84;

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		Larrabe et al. "Development of a time-cycled volume-controlled Pressure-limited respirator and lung mechanics system for total liquid ventilation," <i>IEEE Transactions on Biomedical Engineering</i> . 48, (2001), pp. 1134-1144;
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		Shaffer et al. "Perfluorochemical liquid as a respiratory medium," <i>Art Cells Blood Subs Immob Biotech</i> 22, (1994), pp. 315-326 [abstract only] [2 sheets];
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		Philips et al. "On-line techniques for perfluorochemical vapor sampling and measurement," <i>Biomed Instrum Technol</i> . 33, (1999), pp. 348-355;
		Libros et al. "A perfluorochemical loss/restoration (l/r) system for tidal liquid ventilation," <i>Biomed Instrum Technol</i> . 34, (2000), pp. 351-360;
		Leach et al. "Partial liquid ventilation with perflubron in premature infants with severe respiratory distress syndrome," <i>The New England J of Med</i> , Vol. 335(11), (1996) pp. 761-767 [15 sheets];
		Hirschl et al. "Development and application of a simplified liquid ventilator," <i>Critical Care Med</i> . Vol. 23(1), (1995) pp. 157-163 [9 sheets];
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		Heckman et al. "Software for real-time control of a tidal liquid ventilator," <i>Biomed Instrum Technol</i> . 33, (1999) pp. 268-276;
		Cox et al. "Liquid ventilation a comprehensive overview," <i>Neonatal Network</i> Vol. 15, No. 3, (1996) pp. 31-43;
		Degraeuwe et al. "A feedback controller for the maintenance of FRC during tidal liquid ventilatory: theory, implementation, and testing," <i>The Int'l J of Artificial Organs</i> , Vol. 23, No. 10, (2000) pp. 680-688;

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	